



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

May 1, 2017

Mr. Brian Dickens
U.S. EPA Region 5
77 West Jackson Blvd.
AE-17J
Chicago, IL 60604 – 3507

John Paulian, Ohio EPA - DAPC
Lazarus Government Center
50 West Town Street, Suite 700
Columbus, OH 43216

Enforcement Correspondence Issued by the Cleveland Division of Air Quality

Dear Mr. Dickens:

Dear Mr. Paulian:

Enclosed please find copies of enforcement correspondence recently issued by the Cleveland Division of Air Quality (CDAQ). Items mailed through April 28, 2017, are included in this transmittal.

Included with the correspondence is an index document with one-line listings of all correspondence issued by CDAQ since the previous mailing. The copies and index chronologically (most recent date first). Items in the index that are not included with the document copies include enforcement actions taken under the City of Cleveland codified ordinances, and notice of compliance letters for inspections that did not result in enforcement actions.

Also not included are copies of asbestos and open burn notices of violations (NOV) to U.S. EPA. CDAQ issued a total of 1 asbestos NOV, 1 asbestos ROV (resolution of violation) letters and 5 open burn letters during this period.

Should have any questions on the enclosed items prior to the next conference call, please call me at (216) 664 – 2953. We are looking forward to the next conference call at 10:30 a.m. EST on May 15, 2017.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

Encl: CDAQ Correspondence with index

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March 31, 2017

Eric Hauge
ArcelorMittal Cleveland LLC
3060 Eggers Avenue
Cleveland, Ohio 44105

**Re: ArcelorMittal Cleveland LLC
Notice of Violation (NOV)
Air Nuisance
Cuyahoga County
13-18-00-1613**

Cleveland Division of Air Quality

Subject: Notice of Violation

CERTIFIED MAIL # 7015 1520 0003 1997 6055

Dear Mr. Hauge:

On March 20, 2017, the Cleveland Division of Air Quality (CDAQ) responded to complaints from residents living on East 38th Street in Newburgh Heights. Residents told CDAQ that a fine black powder had blown onto their properties off of ArcelorMittal Cleveland LLC (ArcelorMittal)'s Emission Unit (EU) F026: Landfill on March 14, 2017.

Findings

CDAQ observed the following violations of Ohio's air regulations/laws. In order to bring your facility into compliance, we recommend promptly addressing these violations within fourteen (14) days of your receipt of this letter.

1. **Rule Citation: Ohio Revised Code § 3704.05(G):** No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter.

Ohio Administrative Code Rule 3745-17-08(B): No person shall cause or permit any fugitive dust source to be operated; or any materials to be handled, transported, or stored; or a building or its appurtenances or a road to be used, constructed, altered, repaired, or demolished without taking or installing reasonably available control measures to prevent fugitive dust from becoming airborne.

- (a) During the inspection on March 20, 2017, CDAQ observed a fine black powder coating many surfaces on East 38th Street, including the street, garbage cans, and front porches (see Figures 1 through 3). According to complainants, the material had blown off of ArcelorMittal's EU F026: Landfill, which consists mostly of wastewater treatment waste from ArcelorMittal, during a period of high winds the evening of March 14, 2017.
- (b) ArcelorMittal has already received an NOV for this issue on January 22, 2015.

- (c) CDAQ requests that ArcelorMittal submit a corrective action plan detailing how these violations will be avoided in the future.

Conclusion

CDAQ requests that ArcelorMittal promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within fourteen (14) days of receipt of this letter, please provide documentation to CDAQ of the actions taken to resolve the violations cited above. If you have already resolved the violations listed above, thank you, and please provide documentation supporting compliance. If you have not yet addressed the violations, please submit a compliance plan on how the company plans to correct the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to jbrillinger@city.cleveland.oh.us.

Failure to comply with Chapter 3704 of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty of up to \$25,000 per day of each violation. If circumstances delay resolution of violations, ArcelorMittal is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704 of the Ohio Revised Code.

Thank you for your time and cooperation and should you have any questions, please contact **Jesse Brillinger** at (216) 664-3213 or jbrillinger@city.cleveland.oh.us.

Sincerely,



Valencia S. White
Chief of Enforcement
Cleveland Division of Air Quality
VW/jb *BS*

cc: Michael Krzywicki, CDAQ
Patrick Monnot, ArcelorMittal

ec: David Hearne, CDAQ
James Kavalec and John Paulian, Ohio EPA – DAPC/CO with cc to Supervisor
Brian Dickens, U.S. EPA Region V

encl: Three (3) Photos Taken on 3/20/17

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Figure 1: EU F026: Landfill as seen from East 38th Street in Newburgh Heights



Figure 2: Material from EU F026: Landfill on East 38th Street



Figure 3: Material from EU F026: Landfill on a front porch on East 38th Street



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March 30, 2017

Richard Richkowski
Plant Manager
Graphic Packaging International, Inc.
6385 Cochran Road
Solon, OH 44139

**Re: Graphic Packaging
International, Inc.
Resolution of Violation (ROV)
Air Permit
Cuyahoga County
13-18-53-2181**

Cleveland Division of Air Quality

Subject: Resolution of Violation

Dear Mr. Richkowski:

Thank you for your March 28, 2017, response to the Cleveland Division of Air Quality's (CDAQ) March 10, 2017, Notice of Violation letter. The documentation you submitted included 2014 and 2015 annual volatile organic compound emission reports for Emission Units K010: Flexographic unit No. 1, K011: Flexographic unit No. 2, P001: Asitrade Corrugating Machine 1 and P002: Asitrade Corrugating Machine 2.

CDAQ has reviewed the documentation that you provided and has determined that Graphic Packaging International, Inc. has now resolved all violations discovered during the February 22, 2017, inspection. To ensure that all the violations have been addressed, CDAQ has included Graphic Packaging International, Inc.'s response for each violation and its status.

Resolution of Violation

Letter Citation: 1

Rule Citation: ORC Chapter 3704. 05(C): No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.

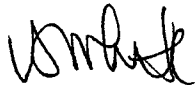
Permit terms and conditions; Part C. 3. e. (3), Part C. 4. e. (3), Part C. 5. e. (3) and Part C. 6. e. (3): The permittee shall submit annual reports that include the total VOC emissions, in tons for this emissions unit. These reports shall be submitted by April 15 of each year and shall cover the previous calendar year.

On March 28, 2017, CDAQ received Graphic Packaging International, Inc.'s response of 2014 and 2015 annual volatile organic compound emission reports for Emission Units K010: Flexographic unit No. 1, K011: Flexographic unit No. 2, P001: Asitrade Corrugating Machine 1 and P002: Asitrade Corrugating Machine 2. Therefore, this violation has been resolved.

Please note that this does not preclude the Director of Ohio EPA from seeking administrative or civil penalties pursuant to Ohio Revised Code section 3704.06 for the violation(s) noted in the March 10, 2017, NOV letter. The decision on whether to pursue or decline to pursue such penalties regarding these violations is dependent on several factors, one of which is the company's future compliance with Ohio EPA regulatory requirements.

Should you have any questions, please contact **Andrew Kenney** at **216-420-7683** or akenney@city.cleveland.oh.us

Sincerely,



Valencia S. White
Chief of Enforcement
Cleveland Division of Air Quality

VW/ak \K

cc: Michael J. Krzywicki, CDAQ
ec: David Hearne, CDAQ
James Kavalec and John Paulian, Ohio EPA – DAPC\CO
Brian Dickens, U. S. EPA Region V

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March 30, 2017

Mark Lamancusa
General Manager
A-Brite LP
3000 West 121st Street
Cleveland, OH 44111

Re: **A-Brite LP**
Notice of Violation (NOV)
Air Permit
Cuyahoga County
13-18-00-0221

Cleveland Division of Air Quality

CERTIFIED MAIL # 7014 3490 0000 0066 4716

Subject: Second Partial Resolution of Violation

Dear Mr. Lamancusa:

Thank you for your response to Cleveland Division of Air Quality's (CDAQ) November 4, 2016, Notice of Violation (NOV) letter on February 27 and March 1, 2017. CDAQ has reviewed the documentation and determined that A-Brite LP (A-Brite) has adequately resolved the following violations discovered during the October 6, 2016, inspection. A-Brite's response and your status with respect to each of the violations are listed below.

Resolved Violations

Letter Citation: Finding 12

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

P0111669 Permit terms and conditions C.1.e)(2) and C.2.e)(2): Reporting Requirements. "The permittee shall submit an annual Permit Evaluation Report (PER) to the Cleveland DAQ by the due date identified in the Authorization section of this permit... It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered."

Letter Citation: Finding 13

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

P0112315 Permit terms and conditions C.1.e)(1): Reporting Requirements. "The permittee shall submit an annual Permit Evaluation Report (PER) to the Cleveland DAQ by the due date identified in the Authorization section of this permit... It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered."

Company Response - On February 27, 2017, CDAQ received A-Brite's response to Findings #12 and #13 for missing 2015-2016 PER form for EUs P009, P010 and P011. However, CDAQ reviewed A-Brite's submitted 2015-2016 PER and requested a revision to EU P011's question B on page 4. On March 1, 2017, CDAQ received A-Brite's PER revision response via email and saw question B on page 4 was answered correctly and in the letter addressed the deviations with their corrective actions taken. Therefore, these violations are resolved.

Letter Citation: Finding 14

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.346(c): Recordkeeping Requirements. "All records shall be maintained for a period of 5 years in accordance with §63.10(b)(1)."

P0111669 Permit terms and conditions C.1.d)(2) and C.2.d)(2): Monitoring and/or Recordkeeping Requirements. "All records shall be maintained for a period of five years."

Letter Citation: Finding 15

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.346(c): Recordkeeping Requirements. "All records shall be maintained for a period of 5 years in accordance with §63.10(b)(1)."

P0112315 Permit terms and conditions C.1.d)(2): Monitoring and/or Recordkeeping Requirements. "All records shall be maintained for a period of five years."

Letter Citation: Finding 16

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.346(c): Recordkeeping Requirements. "All records shall be maintained for a period of 5 years in accordance with §63.10(b)(1)."

P0119034 Permit terms and conditions C.1.d)(1) and C.1.d)(2): Monitoring and/or Recordkeeping Requirements. "All records shall be maintained for a period of five years."

Company Response - On December 28, 2016, CDAQ received A-Brite's response for not maintaining reporting records for a period of five (5) years for EUs P009, P010, P011 and P012 by addressing a corrective action to have all annual/quarterly/monthly/etc.... reports, permits and required submissions will be added to the Management System for tracking & alerts of completion of documents, along with an internal audit, periodic spot checks and annual documentation audits. Therefore, these violations are resolved.

Outstanding Notice of Violation

Letter Citation: Finding 1

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.342(d)(3): "...If a chemical fume suppressant containing a wetting agent is used, not allowing the surface tension of the electroplating or anodizing bath contained within the affected tank to exceed... 33 dynes/cm (2.3×10^{-3} lbf/ft), as measured by a tensiometer at any time during tank operation...."

P0111669 Permit terms and conditions C.1.c)(3) and C.2.c)(3): Operational Restrictions. "...where a chemical fume suppressant containing a wetting agent is used, the surface tension of the electroplating or anodizing bath shall not to exceed... 33 dynes per centimeter (2.3×10^{-3} pound-force/foot) as measured by a tensiometer at any time during tank operation."

Letter Citation: Finding 2

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.342(d)(3): "...If a chemical fume suppressant containing a wetting agent is used, not allowing the surface tension of the electroplating or anodizing bath contained within the affected tank to exceed... 33 dynes/cm (2.3×10^{-3} lbf/ft), as measured by a tensiometer at any time during tank operation...."

P0119034 Permit terms and conditions C.1.b)(2)e.: Additional Terms and Conditions. "...using a chemical fume suppressant containing a wetting agent, shall not allow the surface tension of the decorative chromium electroplating tank(s) using a chromic acid bath to exceed... 33 dynes per centimeter (2.3×10^{-3} pound-force/foot) as measured by a tensiometer at any time during tank operation...."

Letter Citation: Finding 3

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

P0111669 Permit terms and conditions C.1.d)(1)b. and C.2.d)b.: Monitoring and/or Recordkeeping Requirements. *"The time between monitoring can be increased if there have been no exceedances. The surface tension shall be measured once every 4 hours of tank operation for the first 40 hours of tank operation after the compliance date. Once there are no exceedances during 40 hours of tank operation, surface tension measurements may be conducted once every 8 hours of tank operation. Once there are no exceedances during 40 hours of tank operation, surface tension measurement may be conducted once every 40 hours of tank operation, on an ongoing basis, until an exceedance occurs. The minimum frequency of monitoring allowed is once every 40 hours of tank operation."*

- a) On February 27, and March 1, 2017, A-Brite submitted miscellaneous documents, some of which are parts of an Operation and Maintenance (O&M) plan, but were incomplete and not prepared or organized into an O&M plan as required.
- b) As of March 30, 2017, CDAQ has not received A-Brite's response to the violation cited above or, in the alternative, the information provided by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to submit for review your O&M plan that resembles an organized plan with sections or chapters detailing your entire hexavalent chrome electroplating operation for each EU in accordance with your air permit and 40 CFR Part 63 Subpart N requirements. To resolve Findings #1, #2 and #3 you must submit the O&M plan discussed above that includes a section or chapter involving your surface tension operations, within thirty (30) days of receipt of this letter. Please think about these examples below when creating the surface tension section or chapter:
 - Detailed steps or create a checklist to follow Method 306B in 40 CFR Subpart N meeting the surface tension dynes limitation, following your testing schedule, calibration schedule and procedures and operating the tensiometer by manufacturer recommendation;
 - Detailed steps or create a checklist for not using 1% or greater perfluorooctane sulfonic acid (PFOS)-based fume suppressants in decorative chromium electroplating tanks and explain your fume suppressant adding operations;
 - Detailed steps or create a checklist for documenting periods of exceedances on surface tension dynes limitation, equipment malfunctions or downtime of air pollution control devices and monitoring equipment when tank is in operation and list the corrective actions taken. Make sure to document these deviations on your annual ongoing compliance status reports and Permit Evaluation Reports (PER); and
 - Detailed steps or create a checklist for your recordkeeping system on measurements of surface tension with the True-Chem Program.

Letter Citation: Finding 4

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): *"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."*

Title 40 CFR Part 63 Subpart N Section 63.342(f)(2)(ii) Operation and maintenance practices. *"...Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan..."*

P0111669 Permit terms and conditions C.1.c)(5)c. and C.2.c)(5)c.: Operational Restrictions. *"...regulating agency may require that the permittee make changes to the operation and maintenance plan."*

Letter Citation: Finding 5

Rule Citation: ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(G): *"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."*

Title 40 CFR Part 63 Subpart N Section 63.342(f)(2)(ii) Operation and maintenance practices. *"...Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan..."*

P0119034 Permit terms and conditions C.1.c)(1)b.: Operational Restrictions. *"The permittee shall prepare an operation and maintenance plan to be implemented no later than the startup of the unit or the compliance date...."*

- a) On February 27, and March 1, 2017, CDAQ received A-Brite's response for Findings #4 and #5 by providing surface tension calibration procedures, a short plan for surface tension testing with measurement logs, the DuNouy tensiometer operation manual, ScrubAir Systems composite wet scrubber operation manual and scrubber maintenance inspection checklists for EUs P009, P010 and P012. CDAQ reviewed the miscellaneous documents, some of which are parts of an O&M plan, but were incomplete and not prepared or organized into an O&M plan as required.
- b) As of March 30, 2017, CDAQ has not received A-Brite's response to the violation cited above or, in the alternative, the information provided by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to submit for review your O&M plan that resembles an organized plan with sections or chapters detailing your entire hexavalent chrome electroplating operation for each EU in accordance to your air permit and 40 CFR Part 63 Subpart N requirements. To resolve Findings #4 and #5 you must submit the O&M plan discussed above that includes a section or chapter for EUs P009, P010 and P012, within thirty (30) days of receipt of this letter. When writing each section or chapter in your O&M plan, please review the following examples:
 - Scope, facility operations and processes, training, testing, maintenance, corrective actions, reporting, and review of future revisions to the O&M plan; and
 - Appendixes to the back of the O&M plan can include operation manuals or manufacturer specifications. Also, can include example forms for maintenance checklist or logs.

Letter Citation: Finding 6

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.346(b)(1): Recordkeeping requirements.

"Inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of §63.342(f) and Table 1 of §63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection."

P0111669 Permit terms and conditions C.1.d)(2)a. and C.2.d)(2)a.: Monitoring and/or Recordkeeping Requirements. *"inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to documents that the inspection and maintenance required by the work practice standards of this permit have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during inspection and any actions taken to correct deficiencies found during the inspection."*

Letter Citation: Finding 7

Rule Citation: ORC Chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."

ORC Chapter 3704.05(G): "No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."

Title 40 CFR Part 63 Subpart N Section 63.346(b)(1): Recordkeeping requirements.

"Inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of §63.342(f) and Table 1 of §63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection."

P0119034 Permit terms and conditions C.1.d)(1)a.i.: Monitoring and/or Recordkeeping Requirements. *"inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to documents that the inspection and maintenance required by the work practice standards of this permit have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during inspection and any actions taken to correct deficiencies found during the inspection."*

- a) On February 27, and March 1, 2017, CDAQ received A-Brite's response for Findings #6 and #7 by providing examples of November and December 2016 maintenance inspection checklists and manufacturer operation manual for ScrubAir Systems composite wet scrubber. In addition, you provided an example of monthly calibration checklist from October 2016 to February 2017 for the DuNoy tensiometer with a manufacturer operation manual. CDAQ reviewed the submitted documents and found both wet scrubber and tensiometer maintenance

checklist incomplete when detailing a brief description of the working condition of the device. Also, the documents submitted, some of which are parts of an O&M plan, but were not prepared or organized into an O&M plan as required to have a section detailing a section for maintenance.

- b) As of March 30, 2017, CDAQ has not received A-Brite's response to the violation cited above or, in the alternative, the information provide by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to submit a revised two (2) week sample of maintenance inspection records or can take the form of a checklist providing details of a brief description of the working condition of the device along with an organized O&M plan covering a section for maintenance in accordance to your air permit and Subpart N reporting requirements, within thirty (30) days of receipt of this letter.

Letter Citation: Finding 8

Rule Citation: ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(G): *"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."*

Title 40 CFR Part 63 Subpart N Section 63.347(h)(1): Ongoing compliance status reports for area sources. *"The owner or operator of an affected source that is located at an area source site shall prepare a summary report to document the ongoing compliance status of the affected source. The report shall contain the information identified in paragraph (g)(3) of this section, shall be completed annually and retained on site, and made available to the Administrator upon request. The report shall be completed annually except as provided in paragraph (h)(2) of this section."*

P0111669 Permit terms and conditions C.1.e)(7) and C.2.e)(7): Reporting Requirements. *"The permittee shall submit an annual Summary Report (Ongoing Compliance Status Report) to document ongoing compliance. The report shall be completed annually and retained on site, and made available to the Cleveland DAQ, upon request. The report shall contain the information identified below:"*

- a) On March 1, 2017, CDAQ received A-Brite's response by submitting via email a letter with attached three (3) ongoing compliance status reports. CDAQ reviewed the information submitted and found the reports to be incomplete. Below are examples taken from the report that show why the first ongoing compliance status report submitted is incomplete to give you an idea on how to revise the other two reports:

- For #2 on page 1, the following errors listed in the table:
 - You list "N/A" for Tank ID#. This does not indicate which EU or tank ID this report is for;
 - You list "0.00045 ton/yr" for applicable emission limit. This is not the chromium emission limitation listed in your air permits;
 - Acceptable value or range of values for monitored parameter(s), you listed "N/A". In your air permits you have a monitored parameter limitation for surface tension, dynes/cm; and
 - Total operating time during reporting period, you listed "24/7 365". This does not indicate the total operating time in hours operated that reporting year.

- For #3 on page 2, you listed “N/A” for both beginning and ending of the reporting period. The report needs to indicate a reporting period in months/years;
 - For #5 on page 2, you listed “N/A” for the following fields - excess emissions caused by process upsets, control equipment malfunctions, other known causes, unknown causes and total duration of excess emissions. The fields listed above need to have numbers. These numbers are based on reviewing your recordkeeping to show excess emissions for that reporting period. Refer to your air permit and 40 CFR Part 63 Subpart N for help on listing excess emissions on your reports;
 - For #6 on page 3, you did not fill out the check boxes; and
 - For #7 on page 3, you listed “Please see attached”. The letter attached with the ongoing compliance status report provides a limited response to why the O&M plan was not followed and did not provide if a revision was being made and there was no review or records attached to show if surface tension exceedances or malfunctions occurred during the reporting period.
- b) As of March 30, 2017, CDAQ has not received A-Brite’s response to the violation cited above or, in the alternative, the information provide by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to revise the ongoing compliance status reports or submit a letter in lieu of the blank Subpart N forms. On February 27, 2017, CDAQ met with A-Brite and explained that since they could not find the forms in their archives that they could submit a letter in lieu of the form, and on this letter address the reason why this letter is being submitted instead of the form. If you decide to submit a letter instead of the form, the letter should meet the requirements for reports in your air permit and 40 CFR Part 63 Subpart N, within thirty (30) days of receipt of this letter.

Letter Citation: Finding 9

Rule Citation: ORC Chapter 3704.05(C): “No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”

ORC Chapter 3704.05(G): “No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter.”

Title 40 CFR Part 63 Subpart N Section 63.345(b)(1): Provisions for new and reconstructed sources. “...submitting a notification of construction or reconstruction to the Administrator. The notification shall contain the information identified in paragraphs (b) (2) and (3) of this section, as appropriate.”

P0111669 Permit terms and conditions C.1.e)(3) and C.2.e)(3): Reporting Requirements. “The permittee shall submit a notification of construction or reconstruction as soon as practicable before the constructions or reconstruction has commenced to the Cleveland DAQ which includes the following:...”

- a) On March 1, 2017, CDAQ received A-Brite’s response for missing notification of construction or reconstruction report for EUs P009 and P010 by submitting via email in an attached letter. CDAQ reviewed the information submitted and found the report questions incomplete for the following reasons:
- For #1 on page 1, the check boxes were not applied; and

- For #3 on page 1. The following errors were found in the table:
 - You list “T33” and “T37” for Tank ID#. This does not indicate which EU this report documents;
 - You listed “N/A” for expected beginning date for const/reconst. This does not indicate a date;
 - You listed “N/A” for expected completion date for const/reconst. This does not indicate a date;
 - You listed “Foam blanket” for type of control technique to be used. This does not indicate one of the choices offered.
 - You listed “N/A” for Control System ID#. This does not indicate an ID#; and
 - You listed “0.00045 ton/yr for estimated total chromium emissions after control is applied. This is not the emission limitation listed in your air permit for EUs P009 and P010.
- b) As of March 30, 2017, CDAQ has not received A-Brite’s response to the violation cited above or, in the alternative, the information provide by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to revise the notification of construction or reconstruction report or submit a letter in lieu of the blank Subpart N forms for EUs P009 and P010. On February 27, 2017, CDAQ met with A-Brite and explained that since they could not find the forms in their archives that they could submit a letter in lieu of the form, and on this letter address the reason why this letter is being submitted instead of the form. If you decide to submit a letter instead of the form, the letter should meet the requirements for reports in your air permit and 40 CFR Part 63 Subpart N, within thirty (30) days of receipt of this letter.

Letter Citation: Finding 10

Rule Citation: ORC Chapter 3704.05(C): *“No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions.”*

ORC Chapter 3704.05(G): *“No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter.”*

Title 40 CFR Part 63 Subpart N Section 63.347(i)(1): Reports associated with trivalent chromium baths. *“Within 180 days after January 25, 1995, submit an initial notification that includes:”*

Title 40 CFR Part 63 Subpart N Section 63.347(c)(2): Initial notifications. *“the owner or operator of a new or reconstructed affected source that has an initial startup after January 25, 1995 shall submit an initial notification (in addition to the notification of construction or reconstruction required by §63.345(b) as follows:”*

Title 40 CFR Part 63 Subpart N Section 63.347(i)(2): Reports associated with trivalent chromium baths. *“Within 30 days of the compliance date specified in §63.343(a), a notification of compliance status that contains an update of the information submitted in accordance with paragraph (i)(1) of this section or a statement that the information is still accurate; and”*

P0112315 Permit terms and conditions C.1.e)(2): Reporting Requirements. *“The permittee shall submit a notification of construction or reconstruction as soon as practicable before the constructions or reconstruction has commenced to the Cleveland DAQ which includes the following:”*

P0112315 Permit terms and conditions C.1.e)(4): Reporting Requirements. *"The permittee, using a trivalent chromium bath purchased with a wetting agent as a bath ingredient, shall submit a "Notification of Compliance Status Report" to the Cleveland DAQ, signed by the responsible official who shall certify its accuracy, attesting to whether the affected emissions unit(s) is/are in compliance. The notification shall include the following information for each trivalent chromium electroplating tank subject to the NESHAP and demonstrating compliance through this method:"*

P0112315 Permit terms and conditions C.1.e)(5): Reporting Requirements. *"The permittee shall comply with the applicable reporting requirements under 40 CFR, Part 63 Subpart N, including the following sections:"*

a) On March 1, 2017, CDAQ received A-Brite's response for the missing initial notification of compliance status report, notification of construction or reconstruction and notification of compliance status report, within 30 days after startup for EU P011 via email in an attached letter. CDAQ reviewed the information submitted and found the report questions to be incomplete for the following reasons:

- Initial notification of compliance status report:
 - For #2 on page 1 in the table, you listed "N/A" for Tank ID. This does not indicate which EU the report documents;
 - For #2 on page 1 in the table, you listed "N/A" for Startup date. This does not indicate a date;
 - For #2 on page 1 in the table, you listed nothing for Total installed rectifier capacity (amperes). This does not indicate a number for rectifier capacity;
 - For #2 on page 1 in the table, you listed "0.00045 ton/yr" for Applicable emission limit. This is not the same chromium emission limitation found in your air permit;
 - For #2 on page 1 in the table, you listed "current" for Compliance date. This does not indicate a date;
 - For #3 A. on page 3, you listed "N/A Trivalent" for Tank ID#. This does not indicate which EU the report documents;
 - For #3 A. on page 3, you listed "current" for Compliance date. This does not indicate a date;
 - For #3 B. on page 3, you listed "Previously submitted" for providing a brief description of the trivalent chromium process used at your facility. This does not indicate you provided up-to-date information with this report about your trivalent chromium electroplating process used at your facility; and
 - For #3 D. on page 4, you listed "Previously submitted" for a list of trivalent chromium bath components and identify the wetting agent. This does not indicate you provided up-to-date information with this report about your trivalent chromium bath components and wetting agent.
- Notification of construction or reconstruction report:
 - For #1 on page 1, the check boxes were not applied; and
 - For #3 on page 1 in the table, you listed "N/A" for Tank ID#. This does not indicate which EU this report documents;

- For #3 on page 1 in the table, you listed "N/A" for expected beginning date for const/reconst. This does not indicate a date;
- For #3 on page 1 in the table, you listed "N/A" for expected completion date for const/reconst. This does not indicate a date;
- For #3 on page 1 in the table, you listed "N/A" for anticipated startup date. This does not indicate a date; and
- For #3 on page 1 in the table, you listed "0.00045 ton/yr" for Applicable emission limit. This is not the same chromium emission limitation found in your air permit.
- Notification of compliance status, within 30 days after startup report was not identified in your attached letter sent via email on March 1, 2017. This is still considered missing for EU P011.
- b) As of March 30, 2017, CDAQ has not received A-Brite's response to the violation cited above or, in the alternative, the information provide by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.
- c) CDAQ requests A-Brite to revise and submit the initial notification of compliance status, notification of construction or reconstruction reports for EU P011. In addition, CDAQ requests A-Brite to submit the missing notification of compliance status report for EU P011. On February 27, 2017, CDAQ met with A-Brite and explained that since he could not find these reports in their archives that they could submit a letter in lieu of using blank Subpart N forms and on these letters address the reason why these letters is being submitted instead of the form. If you decide to submit a letter instead of the form, the letter should meet the requirements for reports in your air permit and 40 CFR Part 63 Subpart N, within thirty (30) days of receipt of this letter.

Letter Citation: Finding 11

Rule Citation: ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(G): *"No person shall violate any order, rule, or determination of the director issued, adopted, or made under this chapter."*

Title 40 CFR Part 63 Subpart N Section 63.347(c)(2)(iii): Initial notification. "A notification of the actual date of startup of the source shall be submitted within 30 calendar days after such date."

P0119034 Permit terms and conditions C.1.e)(5)a.: Reporting Requirements. "The "Notification of Compliance Status Report" shall be submitted to the Cleveland DAQ, no later than 30 days from the compliance date or 30 days after startup of the decorative chromium electroplating operations if a new source."

- a) On February 27, 2017, CDAQ received A-Brite's response for the missing notification of compliance status report for EU P012. CDAQ reviewed the information and found the report to be inadequate. The report submitted did not reflect up-to-date information on Plant contact/title listed on #1. Also, the report submitted indicated incorrect information on the Applicable emission limit and Type and quantity of HAP emitted listed in the #2 table.
- b) As of March 30, 2017, CDAQ has not received A-Brite's response to the violation cited above or, in the alternative, the information provide by A-Brite was not sufficient to resolve the violation. Therefore, this violation has not been resolved.

- c) CDAQ requests A-Brite to submit revisions to the notification of compliance status report for EU P012. In addition, the notification of compliance status report, should have been submitted 30 days after startup in 2016. The report submitted shows a date signed in 2015. CDAQ recommends providing up-to-date information either in a report or substitute a report for a letter in accordance to your air permit and Subpart N reporting requirements, within thirty (30) days of receipt of this letter.

Please submit documentation demonstrating abatement of the above outstanding violations to this office within thirty (30) days of your receipt of this letter.

Conclusion

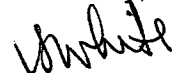
CDAQ respectfully thanks you for your effort to resolve the pending violations. CDAQ requests that A-Brite continue to take the necessary measures to also resolve the still outstanding violations. Within thirty (30) days of receipt of this letter, A-Brite is requested to provide documentation to CDAQ including the steps taken to resolve the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to dwojcik@city.cleveland.oh.us.

Please be advised that violations cited above will continue until the violations have been properly resolved. Failure to comply with Chapter 3704 of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay the resolution of violations, A-Brite is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

You can find Ohio's Air Pollution Control rules and other information on the division's web page at: www.epa.state.oh.us.

Should you have any questions, please feel free to contact **Derek Wojcik** at **216-420-7682** or dwojcik@city.cleveland.oh.us.

Sincerely,



Valencia S. White
Chief of Enforcement
Cleveland Division of Air Quality

VW/daw |K